

FILED

PROB 12C
DMT Rev 01-17

UNITED STATES DISTRICT COURT

JAN 10 2018

FOR THE

Clerk, U.S. Courts
District Of Montana
Missoula Division

DISTRICT OF MONTANA

Petition for Warrant for Offender Under Supervision

Name of Offender: Joseph Franklin Reynolds

Docket Number: 0977 2:12CR00007-001

Name of Sentencing Judicial Officer: THE HONORABLE DANA L. CHRISTENSEN
CHIEF UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 12/07/2012

Original Offense: 18:1470.F; TRANSFER OF OBSCENE MATERIALS TO MINORS, 18:2252A.F;
ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD
PORNOGRAPHY

Original Sentence: 60 months custody, 120 months supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 05/12/2017

Assistant U.S. Attorney: Cyndee Peterson
PO Box 8329, Missoula, MT 59807, (406) 542-8851

Defense Attorney: John Rhodes
Federal Defenders Office, 125 Bank St, Suite 710, Missoula, MT 59802, (406) 721-6749

PETITIONING THE COURT

Background

On 12/07/2012, the defendant appeared for sentencing before THE HONORABLE DANA L. CHRISTENSEN, CHIEF UNITED STATES DISTRICT JUDGE, having pled guilty to the offenses of 18:1470.F; TRANSFER OF OBSCENE MATERIALS TO MINORS, 18:2252A.F; ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY. The offense involved the defendant soliciting nude photographs from minor aged females by acting as the owner of a cell phone he found. The defendant was sentenced to 60 months custody, followed by 120 months supervised release. The defendant began the current term of supervised release on 05/12/2017.

On 07/24/2017, a report was submitted requesting a modification of the defendant's supervision conditions to comport with the current standard language. At that time, it was also reported the defendant had possessed pornographic materials, missed one session of his sex offender treatment group, and was fired from his employment for failing to notify his employer of a pending absence.

Since that time, the probation officer believes the offender has violated the following condition(s) of supervision:

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Violation Number Nature of Noncompliance

- 1 **Special condition:** The defendant shall participate in and complete a program of substance abuse treatment as approved by the U.S. Probation Office, until the defendant is released from the program by the probation officer. The defendant shall pay part or all the cost of this treatment, as determined by the U.S. Probation Officer.

It is alleged the defendant was removed from his substance abuse treatment group on August 24, 2017, for engaging in inappropriate conduct. The defendant disputed the treatment center's characterization of the events; however, services were terminated based on the defendant's conduct in the treatment group.

- 2 **Standard condition:** The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substances or any paraphernalia related to any controlled substances, except as prescribed by a physician.

It is alleged the defendant ingested marijuana on or around January 8, 2018. A urine sample, received from the defendant on that date, tested positive for the presence of marijuana. Additionally, although he did not sign a formal admission of drug use form, the defendant admitted he used marijuana on or around January 6, 2018.

- 3 **Special condition:** The defendant shall enter and successfully complete a sex offender treatment program. The defendant is to enter a program designated by, and until released by, the United States Probation Office. The defendant is to pay all or part of the costs of treatment as directed by United States Probation Office.

It is alleged the defendant was suspended from his sex offender treatment program on January 10, 2018, following several violations of program rules. These include his use of marijuana, engaging in an unapproved sexual relationship, and absconding supervision by eloping from a mental health crisis program against medical advice.

Following the defendant's admission of drug use on January 8, 2018, he was taken to the Emergency Room at St. Peter's Hospital in Helena for the purpose of a Crisis Response Team (CRT) evaluation. On the evening of January 8, 2018, the defendant was transported to the Hayes/Morris House in Butte, Montana, for stabilization and further evaluation.

On January 10, 2018, the defendant eloped from the program, against medical advice. Just prior to absconding, the defendant walked out of a conference with the Hayes/Morris staff, and hung up on a telephone call with this officer. At the time of this report, the defendant's whereabouts are unknown.

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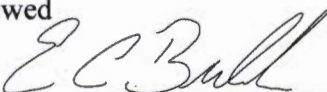
4 **Standard Condition:** The defendant shall not commit another federal, state or local crime.

It is alleged the defendant committed the offense of Criminal Mischief, in violation of MCA 45-6-101, on or about January 10, 2018. This allegation relates to the defendant allegedly punching two holes in the wall of his issued room at the Hayes/Morris House in Butte, prior to his eloping from the facility.

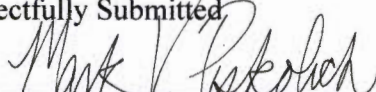
AFFIDAVIT AND PETITION PRAYING THAT THE COURT WILL ORDER A WARRANT BE ISSUED

In conformance with the provision of 28 U.S.C. § 1746, I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge. Based on the information presented that the offender has violated conditions of supervision, I am petitioning the Court to issue a warrant.

Reviewed

By: 
Eric C. Buehler
Supervising United States Probation
Officer
Date: 01/10/2018

Respectfully Submitted

By: 
Mark V Piskolich
United States Probation Officer
Date: 01/10/2018

ORDER OF COURT

I find there is probable cause to believe the offender has violated conditions of supervision, supported by the above affirmation given under penalty of perjury. The Court orders the issuance of a warrant. Considered and ordered this 10th day of January, 2018, and ordered filed **UNDER SEAL** and made a part of the records in the above case.

IT IS FURTHER ORDERED that upon notification to the Clerk of Court's Office that the above named Defendant has been taken into custody, the Petition for Warrant or Summons for Offender Under Supervision shall be unsealed.


Dana L Christensen

Chief United States District Judge

January 10, 2018
Date